

Notice of Allowability

Application No.

10/724,060

Applicant(s)

WENG ET AL.

Examiner

HUYEN D. LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ The drawings filed on 01 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Fichter on September 30, 2004.

The application has been amended as follows:

1. (Currently amended) An electronic device with storable earphone, comprising:
a first casing, at one side having an exit of an earphone strap;
a coiler, being disposed in said first casing and having a motor and a gear on said motor;
a support panel and a bottom panel, being disposed on both ends of said coiler respectively;
a coiling rod, with both ends being pivotally coupled to said support panel and said bottom panel respectively, and said coiling rod at one end having a first second gear engaged with said gear of the coiler and a second first gear at one end of a guiding axle, such that when said gear of the coiler being rotated, said coiling rod and said guiding axle being rotated accordingly;
a guider, with one end disposed on said guiding axle, and the other end having at least a through hole;
an earphone strap, being extended out of the body of said coiling rod and

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passing through ~~the a through hole on another end of~~ said guider to the outside of the exit of said first casing;

a second casing, being coupled with said first casing for storing said earphone of the electronic device, and having a control switch for control the entire operation of said coiler.

4. (Currently amended) The electronic device with storable earphone of claim 3, wherein said guider at another edge is disposed on a sliding member in said first casing, and said sliding member slides vertically along a sliding groove, so that when said coiling rod rotates, said guider slides vertically along said guiding axle since the protruded pillar in the covering ring falls into said guiding groove, and ~~the said~~ guiding grooves at the top and bottom ends of said guiding axle ~~are is~~ designed to bend backward for changing the traveling direction so that said earphone strap follows the guiding grooves at the top and bottom ends of said coiling rod to be wrapped around the periphery of said coiling rod.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

None of prior art teaches an electronic device with an storable earphone that comprises a first casing, a coiler having a motor and a gear on the motor, a support panel and a bottom panel disposed on both ends of the coiler respectively, a coiling rod, a guider having at least one through hole, an earphone strap and a second casing having a control switch, as specifically

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claimed in claim 1, wherein the both ends coiling rod are pivotally coupled to the support panel and bottom panel respectively, wherein one end of the coiling rod has a first gear that is engaged with the gear of the coiler and a second gear at one end of a guiding axle such that when the gear of the coiler is rotated, the coiling rod and the guiding axle are rotated accordingly, and wherein the earphone strap is extended out of the body of the coiling rod, and passed through the through hole of the guider to the outside of the exit of the first casing.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Luplow (U.S. patent 5,339,461) teaches a compact radio frequency receiver having a take-up spool for a pair of earphone transducers.

Arai (U.S. patent 5,706,353) teaches a recording and reproducing apparatus having a cord take-up function.

Wei (U.S. patent 6,434,249) teaches an earphone wire winding box with coaxial and dual wheel.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUYEN D. LE whose telephone number is (703) 305-4844. The examiner can normally be reached on 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HL
September 30, 2004



HUYEN LE
PRIMARY EXAMINER